

EXHIBIT 5

Chris Andreas - RE: Re: We need to get the complete file

Page 1

From: "Bruce Carter" <brucecarteresq@cinci.rr.com>
To: "Chris Andreas" <CAndreas@braytonlaw.com>
Date: Mon, Mar 13, 2006 1:50 PM
Subject: RE: Re: We need to get the complete file

A quick motion to file under seal this document is in order. You can fax the motion only to Lorillard and the motion with the document stamped "filed under seal" to Judge Hanna. That is the way to get it to him. Send the filing to the clerk by regular mail, for the record, with a separate envelope for the document filed under seal attached to the motion.

I agree that we need to make a record about how this directly conflicts with his sworn testimony. We may need to supplement with an affidavit from Jack merely authenticating it and not saying anything about the content.

Bruce

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-----Original Message-----

From: Chris Andreas [mailto:CAndreas@braytonlaw.com]
Sent: Monday, March 13, 2006 1:44 PM
To: brucecarteresq@cinci.rr.com
Subject: Fwd: Re: We need to get the complete file

This is the questionnaire that Jack and Harry filled out when Harry was still alive. As you can see ELS took great liberties with this info in filing BK forms.

We can get Jack to authenticate this thing and use it as a backdrop to the BK forms. Blame ELS for bullshitting the trusts.

Alternatively, we can give it to Judge Hanna this afternoon and let him review it. Might bear on his decision to let these misleading claim forms into evidence. Given that none were signed by Jack or Harry, there is a strong argument to be made that they never saw them before they were submitted. Cannot hold them to false information that ELS employees put down.

>>> Felicia Jimmink 3/13/2006 12:40 PM >>>

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Page 2

Please see attached. This is the ?aire from ELS, although I'm not sure if this is what you are looking for, they are FED EX'ing their file to me today, so I'll have more info tomorrow.

>>> Chris Andreas 3/13/2006 10:45 AM >>>
Thanks

>>> Felicia Jimmink 3/13/2006 10:33 AM >>>
I've got an email into ELS office, will advise and f/u with a phone call.....

>>> Chris Andreas 3/13/2006 9:34 AM >>>
We already have the "fictional" claims from ELS. Jack Kananian said in his depo at page 9 that he and his father filled out some sort of info sheet for ELS and sent it in. When asked about the claim form information at his depo he said he could only guess that it was transcribed from the info sheet they sent in. I would like to see that form if ELS still has it.

>>> Christina Skubic 3/13/2006 9:10 AM >>>
FM.I, can you call Early and find out what docs they have re intake for BK claims? I can get the BK claims themselves, but I think CEA already has them.

>>> Chris Andreas 3/12/2006 3:27 PM >>>
for the Kananian case from Early Ludwick & Sweeney. Clients filled out info form(s) sent to them by ELS and then ELS took that info and prepared and submitted some horribly misleading BK forms. There is no way what our client sent them matches what they put in these forms

I want to see exactly what the clients submitted to ELS.

Can we get a copy of their file regarding BK submissions asap? In particular the info form(s) filled out by Harry and/or Jack and Ann Kananian?

Thanks